

1 ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
2 DAVID R. ZARO (BAR NO. 124334)
865 South Figueroa Street, Suite 2800
3 Los Angeles, California 90017-2543
Phone: (213) 622-5555
4 Fax: (213) 620-8816
E-Mail: dzaro@allenmatkins.com

5 ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
6 EDWARD G. FATES (BAR NO. 227809)
One America Plaza
7 600 West Broadway, 27th Floor
8 San Diego, California 92101-0903
Phone: (619) 233-1155
9 Fax: (619) 233-1158
E-Mail: tfates@allenmatkins.com

10 Attorneys for Receiver
11 THOMAS C. HEBRANK

12 **UNITED STATES DISTRICT COURT**
13 **SOUTHERN DISTRICT OF CALIFORNIA**

14
15 SECURITIES AND EXCHANGE
COMMISSION,

16 Plaintiff,

17 v.

18 LOUIS V. SCHOOLER and FIRST
19 FINANCIAL PLANNING
CORPORATION d/b/a WESTERN
20 FINANCIAL PLANNING
CORPORATION,

21 Defendants.
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Case No. 3:12-cv-02164-GPC-JMA

**RECEIVER'S STATUS REPORT
REGARDING REMAINING
DISTRIBUTIONS AND CLOSURE
OF RECEIVERSHIP**

Ctrm: 2D
Judge: Hon. Gonzalo P. Curiel

1 Thomas C. Hebrank ("Receiver"), Court-appointed receiver for First Financial
2 Planning Corporation d/b/a Western Financial Planning Corporation ("Western"),
3 and its subsidiaries and the General Partnerships listed in Schedule 1 to the
4 Preliminary Injunction Order entered on March 13, 2013 (collectively, "Receivership
5 Entities"), hereby submits this Status Report pursuant to Court's March 15, 2022
6 Order [Dkt. 1820].

7 Within 60 days of the Court's September 30, 2021 order approving the
8 Receiver's motion to conclude the receivership (Dkt. 1817), the Receiver, with the
9 assistance of his staff, issued final distribution checks to the approximately 3,240
10 investors with allowed claims. The Receiver's staff monitored the status of the
11 checks, as well as the returned mail. There were a considerable number of investors
12 for whom mail was returned with a forwarding address (about 90 investors) and
13 some investors for whom mail was returned without a forwarding address. The
14 Receiver reissued checks to all those investors for whom a forwarding address was
15 available. To date, nearly 96% of checks issued have since been cashed and the
16 Receiver has instructed investors that the remaining checks would be voided if they
17 were not cashed by March 18, 2022.

18 The Receiver was advised by his tax consultant (Duffy Kruspodin) that he
19 could not dissolve the remaining Receivership Entities and file final tax returns for
20 them until the outstanding distribution checks were either cashed or voided and no
21 further checks would be issued. Therefore, the work to dissolve the entities and
22 prepare the final tax returns will begin after the remaining outstanding checks have
23 either been cashed or voided. Additionally, the Receiver is waiting for the final
24 invoice from Iron Mountain, the vendor responsible for file storage/destruction under
25 the previously approved budget. The Receiver estimates that the remaining work to
26 dissolve the entities, prepare and file final tax returns, pay remaining administrative
27 expenses from the Court-approved reserve, and turn over the remaining funds to the
28 United States Treasury will be completed by June 15, 2022. The Receiver will then

1 be in a position to file his final declaration, along with the proposed final discharge
2 order closing the receivership.

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4 Dated: March 18, 2022

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MALLORY & NATSIS LLP

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6 By: /s/ Edward Fates

EDWARD G. FATES
Attorneys for Receiver
THOMAS C. HEBRANK